

Reply Comments of MCI WORLDCOM, Inc.
 CC Docket No. 99-272
 Filed: October 18, 1999

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

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In the Matter of)
 U S WEST, Inc., Transferor, and)
 Qwest Communications International Inc.,) CC Docket No. 99-272
 Transferee, For Consent to Transfer of Control)

**MCI WORLDCOM, INC.'S RESPONSES TO COMMENTS FILED
 REGARDING QWEST / U S WEST MERGER APPLICATIONS**

MCI WORLDCOM, Inc. ("MCI WorldCom") hereby submits its responses to the comments made in this proceeding regarding the joint applications of U S WEST, Inc. ("U S WEST") and Qwest Communications International Inc. ("Qwest") ("Qwest-U S WEST Appl." or "applications") for approval of their proposed merger.

INTRODUCTION

Many of the comments submitted in this docket mirror the concerns raised by MCI WorldCom regarding the applicants' general pledge to comply with the mandates of section 271 of the Communications Act, as amended. There exists a consensus amongst the commentators that the Commission should decline to approve the subject applications except pursuant to the condition that Qwest and U S WEST, prior to closing their proposed merger, comply with all of the requirements of section 271 of the Act. Accordingly, MCI WorldCom petitions the Commission to proceed in accord with this consensus.

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DISCUSSION

The Applicants' Promised Section 271 Divestiture Must Include In-Region InterLATA Wholesale Services As Well As Retail Services.

Several of the commentors raised an issue, regarding the subject applications, that is of such importance that it must be again referenced. That issue, specifically, regards the fact that, in their applications, Qwest and U S WEST speak only of their anticipated divestiture of in-region interLATA *retail* customers. Section 271 prohibits a BOB or BOC affiliate from providing in-region interLATA service to any customer, regardless of whether they can be characterized as wholesale, retail or both.¹ A merged Qwest-U S WEST may not provide in region interLATA service to either retail or wholesale customers until it has received section 271 approval from the Commission. Accordingly, the Commission should decline to approve the subject applications except pursuant to the condition that Qwest and U S WEST, prior to closing their proposed merger, completely divests all wholesale and retail in-region interLATA services. Any Commission ruling that fails to include this requirement would facilitate the circumvention of section 271 and would defeat that statute's very purpose — *i.e.*, to “use[] the promise of long distance entry as an incentive to prompt the BOCs to open their local markets to competition.”²

¹ See 47 U.S.C. § 271.

² *In re Application of BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc., for Provision of In-Region, InterLATA Services in Louisiana*, Memorandum Opinion and Order, CC Docket No. 98-121 FCC 98-271 ¶ 3, (rel. Oct. 13, 1998) (“*FCC Louisiana II Order*”).

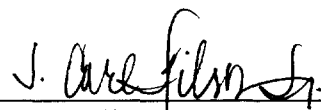
CONCLUSION

In light of the foregoing, the above-referenced applications should not be approved by the Commission except pursuant to the condition that Qwest and U S WEST, prior to closing their proposed merger, comply with all of the requirements of Section 271 of the Communications Act.

Respectfully submitted,

MCI WORLDCOM, INC.

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Dated: October 18, 1999

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served, this 18th day of October, 1999, hand-delivery, on the following:

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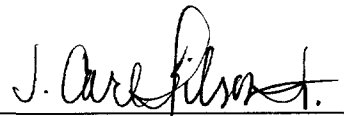
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